

REMARKS

Claim 41 is amended. Support for the Amendment is found in the original Claims and Claims 44, 47, 49, and 51 which are now canceled. Please note that Claim 41 now also contains the “consisting of” language recommended by the Examiner in the outstanding Office Action. New Claims 83-86 are added. Support for the new claims is found in the original Claims. Please note that Claim 83 is supported in Claim 41 and depends from Claim 66. Claim 84 is very similar to Claim 66, except “cobalt” is replaced with --a metal of Group VIII-- therein and is supported in the original claims. Claim 85 depends from Claim 84 and is supported by the original claims. Claim 86 is supported by the original claims, Claim 41, as well as canceled Claims 44, 47, 49, and 51. Claim 86 is a product by process claim that also incorporates the “consisting of” language recommended by the Examiner in the outstanding Office Action. No new matter is believed to be introduced by the amendment.

At the outset, Applicants thank Examiner Ildebrando for her helpful comments in the outstanding Office Action and especially all of the courteous discussions about the present application held throughout the prosecution of the present application. Further, Applicants thank the Examiner for indicating allowable subject matter in the present application.

The rejection of Claims 41-46 and 53-54 under 35 U.S.C. §102 (b) over Wu et al. is believed to be obviated by the amendment above combined with the remarks below.

It should be noted that the above amendment incorporates the embodiments of Claim 44, 47, 49, and 51 into the independent claims. Further, as indicated in the Outstanding Office Action, all of the embodiments of Claims 47, 49, and 51 are neither disclosed, nor suggested by Wu et al. due to no outstanding rejection present in the outstanding Office Action. Accordingly, withdrawal of this ground of rejection is respectfully requested.

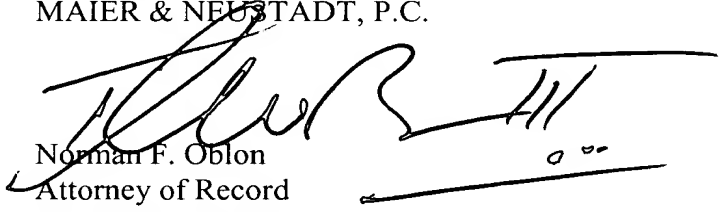
The rejection of Claims 41-54 under 35 U.S.C. §102 (a) over Kasztelan et al. is believed to be obviated by the amendment above combined with the remarks below.

It should be noted that, at page 6, lines 1-3, of the outstanding Office Action, Examiner Ildebrando indicates that the Claims are rejected due to containing open language. While Applicants do not necessarily agree with the Examiner's position regarding her rebuttal of Applicant's earlier arguments over this reference, Applicants have amended all of the independent claims to contain the "consisting of" language recommended by the Examiner in the outstanding Office Action. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Applicants respectfully submit that the present application is now in condition for allowance. Early notice to this effect is respectfully requested. Should anything further be required to place this application in condition for allowance, the Examiner is requested to contact the undersigned by telephone.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUBADT, P.C.



Norman F. Oblon
Attorney of Record
Registration No. 24,618

Thomas W. Barnes III, Ph.D.
Registration No. 52,595



22850

(703) 413-3000
Fax #: (703) 413-2220
NFO/RLT/TWB:twb